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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/287,436 | 04/07/1999 | CHARLES H. CAPLAN | 65278 | 6304 |

7590 04/17/2002

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EXAMINER

HUSAR, STEPHEN F

| ART UNIT | PAPER NUMBER |
|----------|--------------|
| 2875 | 12 |

DATE MAILED: 04/17/2002

Please find below and/or attached an Office communication concerning this application or proceeding.



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| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|
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EXAMINER

ART UNIT PAPER

12

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Commissioner of Patents and Trademarks

See Attachment.

Stephen F. Husar
Primary Examiner
Art Unit: 2875

Response to Amendment

The amendment filed 6/12/01 proposes amendments to the specification and claims that do not comply with 37 CFR 1.173(b), which sets forth the manner of making amendments in reissue applications. A supplemental paper correctly amending the reissue application is required.

A shortened statutory period for reply to this letter is set to expire ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this letter.

Unlike amendments in other applications there is no necessity for a clean sheet copy and marked up copy since when a reissue patent is printed the underlined matter is printed in italics and all brackets are printed as inserted in the application. Therefore only a marked up copy showing changes relative to the patent specification in effect as of the date of filing of the reissue application are shown. Applicant's amendment to the specification is improper in that there is no underlining necessary because although there is a change in that paragraph due to a certificate of correction that change was present as of the date of filing of the reissue application. In this case only applicant presents the paragraph for insertion without any underlining or bracketing. With respect to claims 21,30,33, and 35, since these are amended new claims they are labeled as amended but everything should be underlined and there should be no bracketing because these are not changes to the original patent claims but to newly presented reissue claims. All new claims as well as any amended new claims are completely underlined any time they are presented without any bracketing as bracketing is reserved for changes made to the specification and claims of the patent as issued. Applicant may

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refer to MPEP section 1453 entitled "Amendments to Reissue Applications" for further guidance as well as examples.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen F. Husar whose telephone number is 703-308-1932. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 703-305-4939. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7722 for regular communications and 703-308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

Stephen F. Husar
Stephen F. Husar
Primary Examiner
Art Unit 2875

SFH
April 12, 2002